

The [Bureau of Educational and Cultural Affairs \(ECA\)](#) of the [U.S. Department of State](#) administers a number of exchange and training programs that help promote knowledge about the United States and mutual international understanding. As part of its activities, ECA maintains connections with its exchange participants, or "alumni," after they complete their programs. As part of a broad range of incentives that help keep alumni in touch with ECA, the Bureau administers the State Alumni website (<https://alumni.state.gov>), an online community by and for alumni of U.S. Government exchange programs.

The views expressed by Maura Harty are representative of U.S. Government Policy. All other guest and participant views within the transcript do not necessarily reflect U.S. Government policy.



**Maura Harty**

### **Q&A Live Event: Discuss U.S. Visas with Assistant Secretary Harty**

Maura Harty, Assistant Secretary of State for Consular Affairs, joined us live on Tuesday, May 2, 2006, from 10:00 am to 11:00 am EDT (15:00-16:00 GMT). Assistant Secretary Harty took questions about U.S. Visas.

Read Assistant Secretary Harty's [Biography](#)

#### **Moderator:**

Thank you for joining us today. Assistant Secretary Maura Harty is here looking over your questions. We will begin shortly. [May 2, 2006 10:01]

#### **Maura Harty :**

Good morning, everyone. I am so pleased to be here to talk with you about U.S. visa policy and our efforts to ensure America's doors remain open to international students and exchange visitors. The importance of international education and exchange is something that I, and that the entire State Department, sincerely appreciates. All of us who work in international affairs and serve overseas learn quickly that understanding and tolerance are fostered by common experience, and that understanding flows both ways.

Because I believe so strongly in the importance of international exchange, I have made certain that we kept international students in mind during the last few years of unprecedented change in visa practices. Initially, some of the visa processing changes we made resulted in delays. We made every effort to eliminate those delays and to ensure that students get their visas in time to travel to the U.S. for the beginning of their educational programs. [May 2, 2006 10:02]

#### **Maura Harty :**

For the last three years, we have instructed all of our overseas posts to give priority to students and exchange visitors. Visa applicants now have more information to plan their travel since we overhauled our Internet website at [travel.state.gov](http://travel.state.gov). Having more information about the process helps you to be better prepared when you attend a visa interview. We are now seeing a resurgence of international students coming to the United States to seek educational opportunities at one of our 3,000 institutions of higher learning. We continue to work to get the message out about those opportunities and about the visa process, and that is one of the reasons I am here today. It is incredibly gratifying for me to hear about all of your experiences in the United States, and I look forward to answering your questions. [May 2, 2006 10:03]

#### **Maura Harty :**

Because so many of you have worked and studied in the United States on a J visa, I thought I would begin by providing an overview of some of the regulations associated with J visas. The scope and number of exchange visitor programs have grown enormously over the years. These programs meet a number of objectives for both students and their American host institutions. Let's start at the very beginning of the process. Unlike F-1 visa holders, J-1 visitors may be issued their visas at any time before the beginning of their programs. J-1 visa holders may arrive in the United States at most 30 days in advance of their program start date. While you are in the United States on your J-1 visa, you may receive financial assistance from your program sponsor in the form of scholarships, fellowships, and travel grants. Ordinarily, exchange visitors may not accept employment that is not an integral part of the activities planned by the sponsor. The Department of Homeland Security may grant permission for the spouse of an exchange visitor to accept employment in the United States, but only if it is necessary for the support of the spouse and the children.

[May 2, 2006 10:04]

#### **Maura Harty :**

At the end of your program, J-1 exchange visitors and their dependent family members can often remain until completion of the exchange program plus an additional 30 days.

Many of you have questions about the "two-year requirement." International exchange best serves its purpose when visitors return to their home country and share the results of their visit. Thus, section 212(e) of the Immigration and Nationality Act provides that certain exchange visitors are not eligible to obtain an immigrant visa, adjust status to permanent resident alien, or acquire a nonimmigrant H, K, or L visa until they have resided in and been physically present in their country of nationality or last legal permanent residence for at least two years following completion of their exchange program. If this section of the law applies to you, a consular officer will explain it to you when you apply, note it on your visa, and make sure you understand it by having you sign a form to indicate that you received and understood the explanation.

The law provides for exchange visitors who are subject to this two-year residence requirement to apply for waivers in a few instances, such as medical school graduates who wish to practice medicine in an underserved area in the U.S. those whose American or legal permanent resident spouse or children will suffer exceptional hardship if the exchange visitor were to return home for two years, or those who may face persecution in their home countries. DHS makes the final decision on waiver requests. More information on this process is available on our website: <http://www.travel.state.gov/visa/temp/info/info> [May 2, 2006 10:05]

**Maura Harty :**

For those who wish to return to the United States after completing an exchange visitor program, the two years you spend in your home country will not only provide an opportunity to impart much what you learned in the United States, but also the chance to acquire information and qualifications that may help you plan your next steps for travel to the United States. [May 2, 2006 10:06]

**Herlinda From Peru :**

Dear Ms. Harty,

I have a J-1 Visa and am pursuing a PhD degree. However, like some of my friends, I have found my soul mate here in the U.S. My question is if students with a J-1 visa get married with an American citizen would they have any problem to re-enter to the USA or paying taxes?

For example I am going to do my research in my hometown (after get married) for a year and then planning to come back to complete my dissertation. After my dissertation my future husband and I will go back to my country to work and fulfill the agreement with Fulbright.

I am worried because I had a Guatemalan friend who came to do a master's degree and decided to continue with her PhD. She got married to an American and went back to her country to do her research. However, the U.S. consulate did not allow her to come back and complete her dissertation until she finished the 2-year requirement. Why did that happen? It is because she came for a semester and stayed longer? Is it because there is a problem if we get married here? If we get married here, what are the things that we can do and cannot do?

Thanks for your answer,

Alicia [May 2, 2006 10:02]

**Maura Harty :**

Hi Alicia. Yours is a great question to start with, because it underlines one of the reasons I believe so strongly in international exchanges. We know from experience that the personal and professional relationships that are developed during educational and cultural exchanges form a foundation of understanding and lasting partnerships between nations, societies, cultures, and individuals. It is important to bear in mind, however, that the exchanges are also designed to allow international students like yourself to bring the education, skills, and experiences they acquire in the United States back to their home countries. This is why we require certain exchange participants to spend two years in their home country before returning to the United States.

If you marry a United States citizen, you will still be subject to this two-year requirement, regardless of where the marriage takes place. The requirement is not affected by marriage, and it is also not affected by overstaying a visa (although overstays can affect one's future eligibility for a visa). Once you are married to a U.S. citizen and have fulfilled the two-year requirement, you may be eligible for another nonimmigrant visa for travel to the United States, or for an immigrant visa that allows you to establish permanent residency in the United States. [May 2, 2006 10:08]

**lit From Kyrgyz Republic :**

Dear Mrs. Maura Harty. My name is Igor.

I came to the U.S. on a Work and Travel program with J1 visa. Later I changed the status of the visa to F1, and now I'm currently attending a university in U.S. I'm planning to go home for this summer, however I have a concern about my visa. I've heard that once you change the status of a visa from J1 to F1, and your visa expires, even though you still hold your legal status, you will most likely be denied for a new visa request.

Considering my situation, what would you recommend for me, thanks [May 2, 2006 10:09]

**Maura Harty :**

Thanks for your question. If you are subject to the INA 212(e) two-year home residence requirement you may not change your status to that of H, K, L, immigrant or legal permanent resident. If you have not violated your legal status in the United States, the change from a J-1 to F-1 status should not be a problem. When you apply for a new F-1 visa abroad, the US consular officer will seek to verify your strong ties to a foreign residence that you have no intention of abandoning. This is required by section 214(b) of the Immigration and Nationality Act. (Please see my response to question 13 for more details about this section of law.) It is not the case that any particular type of applicant will "most likely" be denied. Despite what you may have heard, most applicants are approved. [May 2, 2006 10:12]

**Afsheen From Pakistan :**

Hi I am a FLTA (2004) from Pakistan. Can I get married while visiting the US, to an Indian national who is on F-1 visa? Or would he have to come to Pakistan to get married? [May 2, 2006 10:12]

**Maura Harty :**

Thanks for this very interesting question, Afsheen. Perhaps my answer will help others as well, if they choose to marry in the United States. Since both you and your fiancé have nonimmigrant visas, your visa status would not be affected by your marriage. Where to get married is a personal decision for you and your fiancé to make together. However, if you do choose to marry here, you should be aware state and local governments, not the federal government, govern civil actions, including marriage. Each of the 50 states, and sometimes individual counties within each state, has different requirements for marriage. Some require you and your fiancé to reside in the state, others have a waiting period between the issuance of a marriage license and when you can actually marry. You may need a birth certificate or other vital records in order to obtain a marriage license. You may also want to consider whether a marriage performed in the United States is recognized in Pakistan and India. There are several web sites that list the marriage requirements for most venues in the U.S. Best of luck in the wedding planning process! [May 2, 2006 10:13]

**Luciano From Brazil :**

I am a Ph.D. student from Brazil, and I have been living in the USA since last summer. I will probably be around here until July 2009, the date that I expect to finish my studies, however my visa is expiring in July 2006. If I want to go to Brazil after that time I must have to apply for a new visa, which is somewhat not practical. Hence, my question is: would it be possible for the embassy give me a visa with the expiration date compatible with the length of time that I will be studying here?

Thank you very much in advance and best wishes.

[May 2, 2006 10:13]

**Maura Harty :**

Hello Luciano, and thank you for your questions. From your explanation of your situation, it seems that you are already aware that, if you were admitted into the U.S. for the duration of your studies, you are still in legal status even after your visa expires in July 2006, if you continue to be a full-time student. However, as you note, if you depart the U.S. with an expired visa, you will need to obtain a new one before being able to return to America and resume your studies. A student visa cannot be renewed or re-issued in the United States; it must be done at an Embassy or Consulate abroad.

The validity period of student visas are determined in part by U.S. law and in part by our reciprocity agreements with individual countries. The law currently allows us to issue F-1 visas to Brazilian citizens for a maximum validity of four years. [May 2, 2006 10:14]

**From Pakistan :**

Hi, I am a current YES student studying in the U.S. I am interested to come back next year to enroll myself in a college in my current host community. To get a scholarship to attend this college I need to have a permanent resident student visa. Could you please explain to me the procedure to get one from Pakistan, which is my native country? [May 2, 2006 10:14]

**Maura Harty :**

The phrase "permanent resident student visa" is a bit contradictory, as it mixes terms for permanent and temporary visas. However, it sounds like this college requires scholarship winners to have permanent resident status. If you qualify for immigration to the United States, you would need to apply for an immigrant visa at the U.S. embassy or consulates in Pakistan in order to obtain permanent resident status in the United States. (Please see my response to question 16 below for an overview of the requirements for an immigrant visa.) However, as a YES participant, you should check to see if you are subject to the two-year requirement mentioned above. If you are subject to that requirement, you may be ineligible for an immigrant visa. You may wish to begin your university studies in Pakistan and reapply for a program in the United States after fulfilling the two-year requirement. [May 2, 2006 10:14]

**Yunus From Turkey :**

Dear Ms. Harty,

Are there any visa quotas for any country? [May 2, 2006 10:15]

**Maura Harty :**

Thanks very much for the question. There is no quota at all for most non-immigrant visa categories. That means in large measure we welcome as many tourists, students, business travelers and other temporary visitors as possible to our shores. There are some specialized categories where Congress has indeed set limits, but those are not based on specific nationalities. So please come! [May 2, 2006 10:17]

**Taguhi From Armenia :**

Dear Mrs. Harty,

My question is: if a 6 months' tourist visa has been extended for another three months while in the US, does that mean a person is not eligible for another tourist or other visas in future even if returned to their home countries during that 9 month period.

Thank you in advance

Taguhi Sahakyan [May 2, 2006 10:18]

**Maura Harty :**

Taguhi, thanks for your question. An authorized, legal extension of your tourist visa would not affect your future eligibility for a tourist visa or another visitor visa. If you have concerns about overstaying (which can affect your future eligibility for a visa), you should carefully consider the dates of your authorized stay (on your I-94) and make sure you are following the procedures. [May 2, 2006 10:18]

**Gulnar From Azerbaijan :**

I would like to know what are the main differences (the length of the stay; restrictions; any requirements to be followed after returning to the home country) between F-1 Student Visa and B1/B2 Business Visa? [May 2, 2006 10:19]

**Maura Harty :**

Hello, Gulnar, and thanks for that question. While both visa classes have a number of specific restrictions, I'll try to address the most significant differences between them. The most important difference, of course, is that the purpose of travel for a visitor on an F-1 visa is to undertake an academic program in the United States, while the purpose of travel on a B1/B2 visa is short-term business or pleasure travel. Generally, B1/B2 visa holders are granted a maximum stay of six months, although the duration of stay for any visa-holder is determined by an officer at the port of entry and indicated on the I-94.

For a citizen of Azerbaijan, an F-1 visa can be issued up to a maximum validity of 12 months. DHS generally admits students for "duration of status" which means you may stay in the United States for as long as you are a full-time student. F-1 students may accept employment on campus at any point during their course of study, and after the first year, a student may apply to the Department of Homeland Security for off-campus employment authorization. Visitors traveling to the United States for pleasure or business generally may not be gainfully employed. A B 1 (business) visa recipient may come to the United States to consult with business associates, negotiate a contract, buy goods or materials, settle an estate, appear as a witness in a court trial, participate in business or professional conventions or conferences, or undertake independent research. [May 2, 2006 10:19]

**L. Nelum From Sri Lanka :**

Hello, I am an adviser from Sri Lanka.

I have an advisee who has a fellowship for Fall admission. His professor, who is supervising the research he is currently involved in, wants him to come to the U.S. two months prior to the beginning of his course so

that he can complete the current research before joining grad school.  
He can enter the U.S. with an F1 only 1 month ahead of the start date. But how can he get to the U.S. in time to finish his current research, which requires him to arrive there two months ahead? Can he get a Tourist Visa for the extra two months along with his F1?

Thank you.

Nelum Senadira

US-Sri Lanka Fulbright Commission

[May 2, 2006 10:20]

**Maura Harty :**

Hello Nelum, thanks for your question and for all your wonderful work for the Fulbright Commission. Secretary of State Rice and Secretary of Homeland Security Chertoff spoke earlier this year about their efforts to realize President Bush's vision for secure borders and open doors in the information age. We have already made it possible for F-1 students to apply for their visas up to 120 days before their academic program start date (as compared to 90 days under previous regulations). We hope soon to allow students to enter the country 45 days in advance of their studies, as compared to 30 days at present. At this time, however, your advisee would need to have documentation of an earlier start date in order to be allowed entry earlier than 30 days in advance of his program. This may be something his professor and his school can help him with. [May 2, 2006 10:20]

**From Algeria :**

Hi, my name is Houda Ammari, a former 2004 Fulbright FLTA from Algeria. I have been denied an F1 Visa under section 214(b) in July 2005. I was wondering, how could that happen though I am already subject to the two-year home residency requirement? I mean I can't stay in the US, unless I finish two years of residence in my home country. I also know many FLTAs who went back to the US for study though they haven't completed their two-year residency requirement, and they are single, they have no permanent jobs, etc. I mean they have the same reasons and characteristics for which I was denied the Visa. I just want to know about my denial case better. How can that happen?

I am looking forward to have an answer from you,

thank you very much.

best regards. [May 2, 2006 10:21]

**Maura Harty :**

Excellent question, Houda. Let me explain what section 214(b) is, for other participants who may not know. The presumption in the law is that every visitor visa applicant is an intending immigrant. Therefore, applicants for visitor visas must overcome this presumption by demonstrating that they have ties abroad that would compel them to leave the United States at the end of their temporary stay. "Ties" are the various aspects of your life that bind you to your country of residence: your possessions, employment, social and family relationships. The law places this burden of proof on the applicant.

There are many ways to provide proof of strong ties. Some examples of ties can be a job, a house, a family, and a bank account. Strong ties differ from country to country, city to city, individual to individual. Our consular officers are aware of this diversity. During the visa interview they look at each application individually and consider professional, social, cultural and other factors. In cases of students or younger applicants who may not have had an opportunity to form many ties, consular officers may look at the applicant's specific intentions, family situations, and long-range plans and prospects within his or her country of residence. Each case is examined individually and is accorded every consideration under the law. [May 2, 2006 10:22]

**Maura Harty :**

Denial under section 214(b) of the law is not permanent, and a consular officer will reconsider a case if an applicant can show further convincing evidence of ties outside the United States. Unfortunately, some applicants will not qualify for a nonimmigrant visa, regardless of how many times they reapply, until their personal, professional, and financial circumstances change considerably. [May 2, 2006 10:22]

**Thembisile From South Africa :**

Hi Maura,

I'm an exchange student on a J1 visa. My exchange year ends on June 6th of this year. I would like to further my studies here in the U.S., and I have spoken to an international student advisor about changing my visa status from a J visa to an F visa. She advised me to travel back to my country and apply from there. I'm skeptical about that, and I fear I could be turned down. I'm really determined to stay--but confused.

What are my chances of getting the visa? Please respond!

Tammy. [May 2, 2006 10:22]

**Maura Harty :**

Thanks for your question, Thembisile, and I'm happy you are interested in continuing your studies here in the U.S. As I noted in the overview of J visas at the beginning of this discussion, international exchange best serves its purpose when visitors return to their home country and share the results of their visit. For this reason, section 212(e) of the Immigration and Nationality Act provides that certain exchange visitors are not eligible to obtain an immigrant visa, adjust status to permanent resident alien, or acquire a nonimmigrant H, K, or L visa until they have resided in and been physically present in their country of nationality or last legal permanent residence for at least two years following completion of their exchange program. If this section of the law applies to you, a consular officer will have explained that to you when you first applied, and noted it on your visa.

While 212(e) will not affect your eligibility for a student visa, if you are subject to the residence requirement as a consequence of your exchange program, you will need to fulfill the requirement before applying for any of the other visa categories described above. You should be able to proceed with your F-1 student visa application as your advisor suggested. As long as you have your I-120 and other documentation in order for the student visa, and you are eligible for it, you shouldn't have any problem getting the visa. I would urge you, though, to allow plenty of time for your appointment so you can begin school on time! [May 2, 2006 10:23]

**Jamal From Uzbekistan :**

F-1 dependants (F-2) are not authorized to work, and they spend in the US up to for 4 years with their spouses. Isn't it nonsense for them just to sit at home all that time? [May 2, 2006 10:23]

**Maura Harty :**

Hi Jamal. You pose an interesting question. While F-1 dependents are not authorized to work, there are many opportunities for them to be active in their American community. We believe everyone in a family, and not just the person attending college or university, can benefit from the international education experience. Family member who are not authorized to work in the United States may find it rewarding to volunteer with local organizations or attend non-credit classes. Your school's international student advising center may be able to suggest additional activities that would appeal to your family. [May 2, 2006 10:24]

**Mercedes From El Salvador :**

I have a 10-year tourist visa (from 1999 to 2009), and took on a master's degree from 2003-2005 with a J1 exchange visa. Can I still use my old tourist visa or do I have to get a new one to visit the US again? The trip is only for tourism. [May 2, 2006 10:24]

**Maura Harty :**

Hello Mercedes, and congratulations on completing your master's degree. You are welcome to travel to the United States for tourism on your valid tourist visa. Once you arrive, officers at the port of entry will ask you questions to verify the purpose of your travel, and will indicate how long you can stay on your tourist visa. Have a great trip! [May 2, 2006 10:24]

**Faroha From Bangladesh :**

I visited the USA in 2003 with a J1 visa to participate in an eleven-month, State Department sponsored fellowship program. If I want to apply for a U.S. Green Card, what are the opportunities I might avail for that? [May 2, 2006 10:25]

**Maura Harty :**

Hello Faroha. The process by which someone becomes a legal permanent resident of the United States (commonly known as a green-card holder) is separate and quite different from the application process for a nonimmigrant, or visitor, visa. In general, in order to be eligible to apply for an immigrant visa (and be eligible for legal permanent resident status), a foreign citizen must be sponsored by a U.S. citizen relative or by a prospective employer in the United States. Or, if you do not have a sponsor in the United States, you may choose to enter the Diversity Visa Lottery, which provides an opportunity for immigration for 50,000 people from countries with historically low rates of immigration (including Bangladesh) each year. Bear in mind that as a J-1 visa recipient, you may be subject to the two-year requirement. More information about immigrant visas and the Diversity Visa Lottery is available on [travel.state.gov](http://travel.state.gov). [May 2, 2006 10:26]

**Tomas From Czech Republic :**

1. Is there any concrete (or rough) time limit when the U.S. will revoke visas liability for Czech citizens?
2. Why are U.S. visa charges for Czechs constantly increasing?



3. Many Czechs consider the U.S. visa procedure outrageous. Is there any discussion of reform?
4. Do you plan to create a single uniform EU visas policy?

[May 2, 2006 10:27]

**Maura Harty :**

Hello Tomas. You pose a number of great questions. With your first question, I think you may be referring to the idea of bringing the Czech Republic into the Visa Waiver Program. We have worked closely with the government of the Czech Republic in creating a road map that will help your government meet the requirements for participation. Participation in the Visa Waiver Program is a matter of meeting legal requirements, and bringing new countries into the program also requires approval by the Secretary of Homeland Security. The Czech Republic does not currently meet the legal requirements for VWP status.

As for visa fees, the application fee for a non-immigrant visa is the same all over the world. Czech citizens pay the same \$100 fee as citizens of every other country. The application fee was last increased in November 2002. The State Department is required by law to cover the costs of the visa services we provide with the visa fees we collect, and we must adjust the fees periodically to comply with that requirement. The most recent increase in fees allowed us to bring the fee in line with the actual costs of administering nonimmigrant visas services. Visa processing became more time consuming and labor intensive as a result of enhanced security screening requirements instituted since 9/11. We have made the visa process more secure by increasing the amount of information we collect from applicants and automating many of our procedures, like name checks. Investment in people and technology has also allowed us to dramatically reduce the amount of time it takes to complete many of these security procedures. Decreasing the fees could mean we are able to provide fewer services in many countries. [May 2, 2006 10:28]

**Maura Harty :**

The State Department processes visas in accordance with U.S. immigration law. Immigration reform is a topic that has engaged many people in the United States and many members of the Congress. Changes in U.S. immigration law could affect the visa process, but it would be inappropriate for us to speculate what those changes and their effects might be. [May 2, 2006 10:28]

**Lois From United States :**

I am a Fulbrighter studying in Argentina until November. I would like to obtain a tourist visa to Brazil in order to travel to there in July. How do I go about doing this from Argentina? [May 2, 2006 10:29]

**Maura Harty :**

Thanks, Lois - it's great to hear from an American Fulbrighter as well today. Unfortunately, I can't speak authoritatively on the visa processes of other countries. American citizens must present a valid U.S. passport and Brazilian visa to enter that country, so I would recommend you contact the Brazilian Embassy in Argentina to find out what their visa application procedures and requirements are.

I would also recommend you visit our website - [travel.state.gov](http://travel.state.gov) and look over our Consular Information Sheet on Brazil. I think you'll find lots of useful information there. I hope you have also considered registering with us through the website, not only for your time in Argentina, but also to include any regional travel. [May 2, 2006 10:29]

**German From Honduras :**

Dear Ms. Harty: I wish to evaluate a possible market for a software application I have, but from what I have read, I need US \$100K to obtain an investor's visa. What conditions have to be met to establish a business in the US from a visa standpoint? What alternatives are there so as not to fall in an illegal status while working towards establishing a market for this product and necessary business relationships? I wish to find out all I can before proceeding, as I am interested in implementing this idea.

Thank you very much [May 2, 2006 10:31]

**Maura Harty :**

Thanks for your question. I would recommend you look at the eligibility requirements for the Treaty Trader (E-1) or Treaty Investor (E-2) visas, to see if they correspond with your qualifications and your reasons for traveling to the United States. An applicant for a Treaty Trader (E-1) or Treaty Investor (E-2) visa must be a national of a treaty country (Honduras is a treaty country) and must also establish that the trading enterprise or investment enterprise meets the requirements of the law. Some of these requirements refer to the nationality of your business or enterprise, your position within the enterprise, and the size of the volume of trade or investment. More information is available on [travel.state.gov](http://travel.state.gov). [May 2, 2006 10:32]

**Oksana From Russia :**

Hello! My passport is expiring May 20th, 2007, and I would like to visit my host family in Texas during the 2006 Christmas break. Will I be able to get a visa since I will have exactly 6-months until it expires? [May 2, 2006 10:32]

**Maura Harty :**

Hello, Oksana. I'm glad that your experience was such a positive one that you're planning to return. A person applying for a visa is required to have a passport that is valid for six months beyond his or her expected stay in the U.S. Since your passport would expire a little less than five months after your expected stay, it would be a good idea to renew your passport before applying at the Embassy or Consulate for your visa. [May 2, 2006 10:33]

**Muhammad From Indonesia :**

Dear Ms. Harty,

I am very glad that you are giving us a chance to ask questions about U.S. visas. My question is that many people in Indonesia complain that their visa proposals are not approved after being interviewed, and they lose their money, as much as Rp 1,000,000.00 (\$112), if their application is rejected. Why do they not get their money back? In a national newspaper, I once read in the Letter to the Editor, in which the writer asked a question as follows, "Is it in this way the U.S. Government make money?".

Thank you very much for your attention.

Best wishes

Muhammad Ishom [May 2, 2006 10:33]

**Maura Harty :**

Muhammad, this is a very useful question. As I've explained, the State Department uses the visa application fees we collect to cover the cost of the visa services we provide. These fees cover costs such as the labor and technology used to process visa applications, including collecting information from and interviewing applicants. We have to do this administrative processing in order to adjudicate a visa application, whether the visa is issued or not. This is why we are unable to refund visa application fees, even if someone is denied a visa. [May 2, 2006 10:33]

**Roman From Colombia :**

Good morning,

I am Martha Roman an Education USA Advisor in Colombia. I receive many inquires regarding student and work visas. Are the requirements for English Language Training Programs visas stricter? [May 2, 2006 10:34]

**Maura Harty :**

Hi Martha, I was just in Bogota last month and I met with a number of academics to discuss just this subject. I want to underscore how important it is to the United States to welcome students to our country. If a student needs to study English first that student will need to do exactly what he or she would have to do to qualify for a student visa, specifically to be able to demonstrate an ability to cover the costs of that program as well as to demonstrate to the consular officer an intention to return to their home after their study in the United States. I want to underscore how much we welcome international students. [May 2, 2006 10:37]

**Andrey From Turkmenistan :**

Hello. My name is Andrey, and I have a question about obtaining a U.S. visa. My host parents are going to send me invitation in order for me to come back in the U.S. after I graduate in my country. After they send me this visa I don't know what to do further. Where do I begin the application process, and where do I get the form for an invitation? Thank you.

Sincerely yours,

Andrey Leskin. [May 2, 2006 10:38]

**Maura Harty :**

Hello, Andrey. Thank you for your question. The most important information you provide to us as part of your visa application will be about your ties to your country. While an invitation from your hosts in the United States can support the information you provide to us about your reasons for traveling to the United States, this invitation alone does not prove you are eligible for a visa. Some basic information about the visa application process is available on our web site, [travel.state.gov](http://travel.state.gov), and, if you plan to apply in Turkmenistan, you will also find useful information on U.S. Embassy in Ashgabat's web site, at <http://turkmenistan.usembassy.gov>. I encourage you and your host family to check out these web sites in



order to educate yourselves about the process and plan accordingly. Having this information will not only ensure that you understand every step of the process, but it will also help you to be better prepared when you attend an interview. [May 2, 2006 10:39]

**Yuliya From Russia :**

Dear Maura Harty! I was wondering about work restrictions with a student visa I-20, if I am not mistaken. Is it true that you cannot work with it at least for the first year out of college? Also, how does this restriction work in case of getting an internship or fellowship with a company? [May 2, 2006 10:39]

**Maura Harty :**

Hello Yuliya, and thanks for this question. Just to clarify, the I-20 is not a visa, but it is required in order to obtain an F-1 visa. The I-20 is a Certificate of Eligibility issued by the school to the student, and provides basic evidence of the student's acceptance by the school. To get to the heart of your question, students on F-1 visas may be gainfully employed on campus at any point during their course of study. After the first year of their studies, a student may apply to the Department of Homeland Security for off-campus employment authorization. Unpaid internships or fellowships would not constitute employment, but if you are being paid, you should verify that your employment is authorized. [May 2, 2006 10:40]

**Irina From Russia :**

Hello, I am Irina Tsaregorodtseva, a Muskie Graduate Program Fellowship alumna (1997-1999). My question concerns special medical visas, in particular for HIV+ and TB test positive children adopted from Russia. Is there a way to obtain a waiver for those children, and if there is, what is a process of obtaining one? Thanks!

[May 2, 2006 10:41]

**Maura Harty :**

Hello Irina, I hope you enjoyed your time in the United States. Those who are found ineligible for a visa on health-related grounds may seek a waiver. Our colleagues at the Department of Homeland Security process those waivers on an individual basis. [May 2, 2006 10:41]

**Maura Harty :**

I thank you all so very much for your time today. I regret that I cannot spend longer just now chatting with you. For the moment let me leave you with our strongest conviction that hosting foreign students, and in fact all visitors to the United States, is something very important to us. We welcome you and we look forward to hearing from you should we do another similar chat in the future.

With best regards,

Maura Harty [May 2, 2006 10:44]